

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KALOMA CARDWELL,

Plaintiff,

v.

DAVIS POLK & WARDWELL LLP, Thomas
Reid, John Bick, William Chudd, Sophia
Hudson, Harold Birnbaum, Daniel Brass,
Brian Wolfe, and John Butler,

Defendants.

19 Civ. 10256 (GHW)

**DECLARATION OF BRUCE BIRENBOIM IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE
TO FILE A THIRD AMENDED COMPLAINT**

Bruce Birenboim declares pursuant to 28 U.S.C. § 1746:

1. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019, counsel for defendants. I submit this declaration in support of defendants' opposition to plaintiff's motion for leave to file a third amended complaint.

2. Attached to this declaration are true and correct copies of documents referenced in defendants' opposition to plaintiff's motion for leave to file a third amended complaint:

Exhibit 1: February 1, 2021 Letter from Susanna Buerger to David Jeffries.

Exhibit 2: July 22, 2016 email between Carolina Fenner and Daniel Brass, bearing BATES stamps DPW_SDNY-000088628 through DPW_SDNY-000088629.

Exhibit 3: Document listing the departure dates of the associates plaintiff has alleged as potential comparators.¹

Exhibit 4: June 10, 2016 email and attached deck from Alicia Fabe to Renee DeSantis, bearing BATES stamps DPW_SDNY-000140608 through DPW_SDNY-000140632.

3. I declare under penalty of perjury that the foregoing is true and correct.

By: /s/ Bruce Birenboim
Bruce Birenboim

March 24, 2021
New York, New York

¹ Defendants do not concede that any of these associates are in fact appropriate plaintiff “comparators.”